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Attorneys for
Amazon Logistics, Inc.

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

SCOOBEEZ, et al.¹,

**Debtors and Debtors in
Possession.**

Affects:

- ☒ All Debtors
- ☐ Scoobeez, ONLY
- ☐ Scoobeez Global, Inc., ONLY
- ☐ Scoobur LLC, ONLY

Case No. 2:19-bk-14989-WB
(Jointly Administered with
2:19-bk-14991-WB, and 2:19-bk-14997-WB)

Chapter 11

**NOTICE OF HEARING ON AMAZON
LOGISTICS, INC.'S MOTION FOR A
PROTECTIVE ORDER QUASHING
DOCUMENT REQUESTS AND
DEPOSITION NOTICES PROPOUNDED
BY HILLAIR CAPITAL
MANAGEMENT, LLC**

Date: November 4, 2019
Time: 2:00 p.m.
Dept.: United States Bankruptcy Court
Edward Roybal Federal Building
255 E Temple St., Ctrm 1375
Los Angeles CA 90012

Judge: The Hon. Julia W. Brand

¹ The Debtors and the last four digits of their respective federal taxpayer identification numbers are as follows: Scoobeez (6339); Scoobeez Global, Inc. (9779); and, Scoobur, LLC (0343). The Debtors' address is 3463 Foothill Boulevard, in Glendale, California 91214.

1 TO THE PARTIES HERETO AND TO THEIR ATTORNEYS OF RECORD:

2 Please take notice that, pursuant to the Court's *Order Granting Application and Setting*
3 *Hearing on Shortened Notice* entered November 1, 2019 (Docket No. 407), a copy of which is
4 attached hereto as Exhibit 1 (the "OST"), the hearing on *Amazon Logistics, Inc.'s Motion for a*
5 *Protective Order Quashing Document Requests and Deposition Notices Propounded by Hillair*
6 *Capital Management, LLC* (Docket No. 405) (the "Motion"), will take place on November 4,
7 2019, at 2:00 p.m., or as soon thereafter as the matter may be heard, at the United States
8 Bankruptcy Court, Edward Roybal Federal Building, 255 East Temple Street, in Courtroom 1375,
9 in Los Angeles, California 90012.

10 Pursuant to the provisions of the OST, opposition to the Motion may be presented at the
11 hearing on the Motion.

12 Dated: November 1, 2019

MORGAN, LEWIS & BOCKIUS LLP

14 By: /s/ Richard W. Esterkin
15 Richard W. Esterkin

16 Attorneys for Amazon Logistics, Inc.

EXHIBIT 1

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Richard W. Esterkin, SBN 70769 MORGAN, LEWIS & BOCKIUS LLP 300 S Grand Ave Fl 22 Los Angeles CA 90071-3132 Tel: (213) 612-2500 Fax: (213) 612-2501 richard.esterkin@morganlewis.com</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Amazon Logistics, Inc.</p>	<p>FOR COURT USE ONLY</p> <div style="border: 1px solid black; padding: 10px; text-align: center; margin: 10px auto; width: 80%;"> <p>FILED & ENTERED</p> <p>NOV 01 2019</p> <p>CLERK U.S. BANKRUPTCY COURT Central District of California BY kaaumoan DEPUTY CLERK</p> </div>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA –LOS ANGELES DIVISION</p>	
<p>In re:</p> <p style="text-align: center;">SCOOBEEZ, et al.,¹</p> <p style="text-align: center;">Debtors and Debtors in Possession.</p> <p>Affects:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> All Debtors <input type="checkbox"/> Scoobeez, ONLY <input type="checkbox"/> Scoobeez Global, Inc., ONLY <input type="checkbox"/> Scoobur LLC, ONLY <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 2:19-bk-14989-WB (Jointly Administered with 2:19-bk-14991-WB, and 2:19-bk-14997-WB)</p> <p>CHAPTER: 11</p> <p>ORDER:</p> <p><input checked="" type="checkbox"/> GRANTING APPLICATION AND SETTING HEARING ON SHORTENED NOTICE</p> <p><input type="checkbox"/> DENYING APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE</p> <p style="text-align: right;">[LBR 9075-1(b)]</p>
<p>Movant (name): Amazon Logistics, Inc.</p>	

1. Movant filed the following motion together with supporting declarations and (if any) supporting documents:
 - a. *Title of motion:* Amazon Logistics, Ins.'s Motion for a Protective Order
 - b. *Date of filing of motion:* 10/31/2019
2. Pursuant to LBR 9075-1(b), movant also filed an Application for Order Setting Hearing on Shortened Notice (Application) together with supporting declaration(s):

Date of filing of Application: 10/31/2019
3. Based upon the court's review of the application, it is ordered that:
 - a. ☐ The Application is denied. The motion may be brought on regular notice pursuant to LBRs.
 - b. ☒ The Application is granted, and it is further ordered that:

¹ The Debtors and the last four digits of their respective federal taxpayer identification numbers are as follows: Scoobeez (6339); Scoobeez Global, Inc. (9779); and, Scoobur, LLC (0343). The Debtors' address is 3463 Foothill Boulevard, in Glendale, California 91214.

- (1) ☒ A hearing on the motion will take place as follows:

Hearing date: 11/04/19	Place:
Time: 2:00 PM	<input checked="" type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012
Courtroom: 1375	<input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367
	<input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501
	<input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101

- (2) ☒ No later than the deadlines given, **telephonic notice** of the hearing must be provided to all persons/entities listed:

(A) <u>Deadlines:</u> Date: 11/01/19 Time: 12:00 PM	(B) <u>Persons/entities to be provided with telephonic notice:</u> All parties entitled to notice <input type="checkbox"/> See attached page
(C) <u>Telephonic notice is also required upon</u> the United States trustee	

- (3) ☒ No later than the deadlines given, **written notice of the hearing** and a **copy of this order** must be served upon all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☒ Personal Delivery ☐ Overnight Mail ☐ First class mail ☒ Facsimile* ☒ Email*

(B) <u>Deadlines:</u> Date: 11/01/19 Time: 12:00 PM	(C) <u>Persons/entities to be served with written notice and a copy of this order:</u> All parties entitled to notice <input type="checkbox"/> See attached page
(D) <u>Service is also required upon:</u> -- United States trustee (<i>electronic service is not permitted</i>) -- Judge's copy personally delivered to chambers (see Court Manual for address)	

- (4) ☒ No later than the deadlines given, a copy of the motion, declarations, and supporting documents (if any), must be served on all persons/entities listed using: ☒ one of the methods checked ☐ all of the methods checked

(A) ☒ Personal Delivery ☐ Overnight Mail ☐ First Class Mail ☒ Facsimile* ☒ Email*

(B) Deadlines:

Date: **11/01/19**

Time: **12:00 PM**

(C) Persons/entities to be served with motion, declarations, supporting documents:

All parties entitled to service

☐ See attached page

(D) Service is also required upon:

- United States trustee (*no electronic service permitted*)
- Judge's copy personally delivered to chambers
(see Court Manual for address)

- (5) ☒ Regarding **opposition to the motion**

☒ opposition to the motion may be made **orally** at the hearing

☐ no later than the deadlines given, **written opposition to the motion** must be filed with the court and served upon all persons/entities listed using: ☐ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☐ Email*

(B) Deadlines:

Date:

Time:

(C) Persons/entities to be served with written opposition to the motion:

- movant's attorney (or movant, if movant is not represented by an attorney)

(D) Service is also required upon:

- United States trustee (*electronic service is not permitted*)
- Judge's copy personally delivered to chambers
(see Court Manual for address)

- (6) ☐ Regarding a **reply to an opposition:**

☐ a reply to opposition may be made **orally** at the hearing.

☐ no later than the deadlines given, a **written reply to an opposition** must be filed with the court and served on all persons/entities listed using: ☐ one of the methods checked ☐ all of the methods checked

(A) ☐ Personal Delivery ☐ Overnight Mail ☐ First Class Mail ☐ Facsimile* ☐ Email*

(B) <u>Deadlines:</u> Date: Time:	(C) <u>Persons/entities to be served with written reply to opposition:</u> -- All persons/entities who filed a written opposition (D) <u>Service is also required upon:</u> -- United States trustee (<i>electronic service is not permitted</i>) -- Judge's Copy personally delivered to chambers (see Court Manual for address)
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(7) ☐ Other requirements:

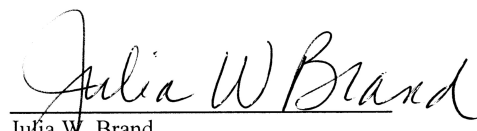
(8) ☒ No later than the deadlines given, movant must file a **Declaration of Notice and Service** establishing that telephonic notice, written notice, and service of the motion and this order was completed as set forth above, and a **judge's copy** of the Declaration of Notice and Service must be personally delivered to the judge's chambers:

<input type="checkbox"/> at least 2 days before the hearing.
<input checked="" type="checkbox"/> no later than: Date: 11/01/19 Time: 2:00 PM

* Service by electronic means (facsimile or email) requires compliance with F.R.Civ.P. 5(b)(2)(E).

###

Date: November 1, 2019


Julia W. Brand
United States Bankruptcy Judge

**CERTIFICATE OF SERVICE FORM
FOR ELECTRONIC FILINGS**

I hereby certify that on November 1, 2019, I electronically filed the foregoing document,
**Notice of Hearing on Amazon Logistics, Inc.'s Motion for a Protective Order Quashing
Document Requests and Deposition Notices Propounded By Hillair Capital Management,
LLC**, with the Clerk of the United States Bankruptcy Court, Central District of California, Los
Angeles Division, using the CM/ECF system, which will send notification of such filing to those
parties registered to receive notice on this matter.



Renee Robles

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Morgan Lewis & Bockius LLP
300 S Grand Ave Fl 22
Los Angeles CA 90071-3132

A true and correct copy of the foregoing document entitled: **NOTICE OF MOTION FOR** (*specify name of motion*)
A Protective Order Quashing Document Requests and Deposition Notices Propounded by Hillair Capital
Managment, LLC

will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) 11/01/2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

See Service List, attached.

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) 11/01/2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Conway MacKenzie, Inc.
333 S Hope St Ste 3625
Los Angeles CA 90071

Daimler Trust
c/o BK Servicing LLC
PO Box 131265
Roseville MN 55113-0011

Levene Neale Bender Yoo & Brill LLP
10250 Constellation Blvd Ste 1700
Los Angeles CA 90067

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) 11/01/2019, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.


The Hon. Julia W. Brand, Suite 1382
U.S. Bankruptcy Court, Roybal Federal Building
255 E Temple St
Los Angeles CA 90012

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

11/01/2019
Date

Renee Robles
Printed Name


Signature

This form is mandatory. It has been approved for use in the United States Bankruptcy Court for the Central District of California.

2:19-bk-14989-WB Service List:

Richard T Baum on behalf of Stockholder Rosenthal Family Trust
rickbaum@hotmail.com, rickbaum@ecfinforuptcy.com

Richard W Esterkin on behalf of Creditor Amazon Logistics, Inc.
richard.esterkin@morganlewis.com

John-Patrick M Fritz on behalf of Attorney Official Committee Of
Unsecured Creditors jpf@lnbyb.com,
JPF.LNBYB@ecf.inforuptcy.com

John-Patrick M Fritz on behalf of Creditor Committee Official Committee of
Unsecured Creditors jpf@lnbyb.com, JPF.LNBYB@ecf.inforuptcy.com

John-Patrick M Fritz on behalf of Interested Party Levene, Neale, Bender,
Yoo & Brill L.L.P. jpf@lnbyb.com, JPF.LNBYB@ecf.inforuptcy.com

John-Patrick M Fritz on behalf of Plaintiff Official Committee of Unsecured Creditors of the
Estates of Scoobeez

and Scoobeez Global, Inc.

jpf@lnbyb.com, JPF.LNBYB@ecf.inforuptcy.com

Riebert Sterling Henderson on behalf of Interested Party Courtesy NEF
shenderson@gibbsgiden.com

Vivian Ho on behalf of Creditor FRANCHISE TAX BOARD
BKClaimConfirmation@ftb.ca.gov

David Brian Lally on behalf of Attorney Grigori Sedrakyan
davidlallylaw@gmail.com

David Brian Lally on behalf of Attorney Peter and Barbara Ro Trustees of the Rosenthal Family
Trust UTD

3/25/1988

davidlallylaw@gmail.com

Alvin Mar on behalf of U.S. Trustee United States Trustee (LA)
alvin.mar@usdoj.gov, dare.law@usdoj.gov

Ashley M McDow on behalf of Debtor Scoobeez

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sgaeta@foley.com; mhebbeln@foley.com; swilson@foley.com; jsimon@foley.com

Ashley M McDow on behalf of Debtor Scoobeez Global, Inc.

amcdow@foley.com,
sgaeta@foley.com; mhebbeln@foley.com; swilson@foley.com; jsimon@foley.com

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sgaeta@foley.com; mhebbeln@foley.com; swilson@foley.com; jsimon@foley.com

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amcdow@foley.com,
sgaeta@foley.com; mhebbeln@foley.com; swilson@foley.com; jsimon@foley.com

Stacey A Miller on behalf of Creditor Porsche Financial Services, Inc.
smiller@tharpe-howell.com

Stacey A Miller on behalf of Creditor Porsche Financial Services, Inc. dba Bentley
Financial Services smiller@tharpe-howell.com

Stacey A Miller on behalf of Creditor Porsche Leasing Ltd.
smiller@tharpe-howell.com

Kevin H Morse on behalf of Creditor Avitus Group, Inc.
kmorse@clarkhill.com, blambert@clarkhill.com

Shane J Moses on behalf of Debtor Scoobeez
smoses@foley.com

Shane J Moses on behalf of Plaintiff Scoobeez, Inc.
smoses@foley.com

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jnalbandyan@LNtriallawyers.com, cbautista@LNtriallawyers.com

Akop J Nalbandyan on behalf of Interested Party INTERESTED PARTY
jnalbandyan@LNtriallawyers.com, cbautista@LNtriallawyers.com

Rejoy Nalkara on behalf of Creditor BMW Financial Services NA, LLC, c/o AIS
Portfolio Services, LP rejoy.nalkara@americaninfosource.com

Anthony J Napolitano on behalf of Creditor Hillair Capital Management LLC
anapolitano@buchalter.com,
IFS_filing@buchalter.com; salarcon@buchalter.com

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Creditors dln@lnbyb.com

David L. Neale on behalf of Creditor Committee Official Committee of Unsecured
Creditors dln@lnbyb.com

David L. Neale on behalf of Interested Party Levene, Neale, Bender, Yoo & Brill
L.L.P. dln@lnbyb.com

Aram Ordubegian on behalf of Interested Party Courtesy NEF
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Hamid R Rafatjoo on behalf of Creditor Shahan Ohanessian
hrafatjoo@raineslaw.com,
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Gregory M Salvato on behalf of Creditor Azad Baban

gsalvato@salvatolawoffices.com,
calendar@salvatolawoffices.com; jboufadel@salvatolawoffices.com; gsalvato@ecf.inforuptcy.com

Gregory M Salvato on behalf of Interested Party INTERESTED PARTY
gsalvato@salvatolawoffices.com,

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Jeffrey S Shinbrot on behalf of Creditor Shahan Ohanessian
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Steven M Spector on behalf of Creditor Hillair Capital Management LLC
sspector@buchalter.com,
IFS_efiling@buchalter.com; salarcon@buchalter.com

United States Trustee (LA)
ustpreion16.1a.ecf@usdoj.gov

Kimberly Walsh on behalf of Creditor Texas Comptroller of Public
Accounts bk-kwalsh@texasattorneygeneral.gov

Eric D Winston on behalf of Creditor Hillair Capital Management, LLC
ericwinston@quinnemanuel.com

Eric K Yaeckel on behalf of Creditor Arturo Vega
yaeckel@sullivanlawgroupapc.com

2:19-bk-14989-WB Notice will not be electronically mailed to:

Armory Securities, LLC

Conway MacKenzie, Inc.
333 S Hope St Ste 3625
Los Angeles, CA 90071

Daimler Trust
c/o BK Servicing, LLC
PO Box 131265
Roseville, MN 55113-0011

Force Ten Partners, LLC

Levene Neale Bender Yoo & Brill LLP
10250 Constellation Blvd Ste 1700
Los Angeles, CA 90067